

**NEW SMYRNA BEACH POLICE DEPARTMENT
NEW SMYRNA BEACH, FLORIDA**

POLICY AND PROCEDURE DIRECTIVE

TITLE: MISSING PERSON (ADULT/JUVENILE), MISSING ENDANGERED/ SILVER/AMBER ALERT/FLORIDA PURPLE ALERT

NUMBER: 15-14

EFFECTIVE: 05/15

REFERENCE: Jennifer Kesse and Tiffany Sessions Missing Persons Act

RESCINDS/ AMENDS: 18-14

REVISED: 11/22

ATTACHMENT: flsenate.gov/Session/Bill/2008/502
[FSS 937.0201.html](http://FSS.937.0201.html), [FSS 937.021.html](http://FSS.937.021.html), [FSS 937.031.html](http://FSS.937.031.html) 937.022.html
[Missing Endangered Persons Information ClearinghouseSearch/Index.asp](http://Missing.937.0201.html)
SilverAlerts.asp
<https://www.ncjrs.gov/pdffiles1/nij/209493.pdf> (Identifying Victims Using DNA: A Guide for Families)

A. PURPOSE

The purpose of this directive is to specify procedures that are to be used in the investigation of reported missing and or missing and endangered persons (adults and juveniles) so as to comply with [FS 937.0201](#) and [FS 937.021](#).

Further it is the purpose of this directive is to establish procedures and guidelines for the investigation of juveniles reported to be missing, abducted, or unidentified.

The purpose of the Florida Amber Plan is to broadcast critical information in a timely manner of a missing or abducted child believed to be endangered to the public via radio, television, and other media. The information can be provided immediately to the investigating law enforcement agency in the event the child or abductor is seen or if anyone has knowledge of the abduction.

B. POLICY

The department shall use its resources, acting within the scope of its authority as described by applicable state statutes, to identify, locate, recover, and assist any missing endangered person.

Every effort shall be made to determine through initial investigation that a child's life is in immediate danger before activating the Florida Amber Plan and other available resources for children reported missing under suspicious circumstances. These programs shall not be activated for cases of family abduction or runaway cases unless the investigation indicates the child's life is in immediate danger.

C. DISCUSSION

[Florida Statute 937.0201](#) and amendments to [FS 937.021](#) requires law enforcement agencies to adopt written policies

and procedures to be used when investigating missing children and missing adult reports; requiring the law enforcement agency having jurisdiction to accept and file the report; providing a timeframe for transmitting the report to state and national databases; providing immunity from civil liability for certain persons providing information in good faith; requiring that a law enforcement agency attempt to obtain a biological specimen for DNA analysis if a missing person has not been located within 90 days.; authorizing the Department of Law Enforcement to adopt rules; amending [FS 937.022](#); renaming the Missing Persons Information Clearinghouse as the “Missing Endangered Persons Information Clearinghouse”; revising provisions to conform; requiring the state and national databases to be purged of information about a person who has been located; providing an effective date.

D. DEFINITIONS

MISSING ADULT – means a person 18 years of age or older whose temporary or permanent residence is in, or believed to be in, this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency.

MISSING CHILD– means a person younger than 18 years of age whose temporary or permanent residence is in, or believed to be in, this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency.

MISSING ENDANGERED PERSON means:

- A missing child;
- A Missing adult younger than 26 years of age; or
- A missing adult 26 years of age or older who is suspected by a law enforcement agency of being endangered or the victim of criminal activity.

MISSING ENDANGERED PERSON REPORT – means a report prepared on a form prescribed by the department (Florida Department of Law Enforcement) by rule for use by the public and law enforcement agencies in reporting to the Missing Endangered Persons Information Clearinghouse about a missing endangered person.

SILVER ALERT- A plan developed to broadcast information to the public regarding missing elders with dementia or other cognitive impairment. The plan provides for a coordinated response between local and state law enforcement to quickly broadcast important information to citizens so they can assist local law enforcement in the rescue of the elder person.

AMBER ALERT- A plan used to assist in the location of missing juveniles, who are in danger of serious bodily harm or death. The Amber Alert is not to be used for a runaway or family abductions unless the investigation determines the child’s life is in immediate danger.

PURPLE ALERT- A plan used to assist in the location of missing adults suffering from a mental or cognitive disability that is not Alzheimer’s disease or a dementia-related disorder, an intellectual disability or a developmental disability; a brain injury; other physical, mental or emotional disabilities that are not related to substance abuse; or a combination of any of these and whose disappearance poses a credible threat of immediate danger or serious bodily harm. Purple alerts engage the public in the search for the missing person and provide a standardized and coordinated community response.

E. PROCEDURE

15.14.1 Jurisdiction:

The agency having jurisdiction over the location where the reported missing person was last known to have been shall

have jurisdiction and the requirement to file an original missing person report. Surrounding agencies have the obligation to assist in any way possible. Thus, the investigation of a missing child, last seen at school within the City limits, but residing outside the City, would be the responsibility of this department.

15.14.2 Initial Response:

When an officer responds to a reported missing person call, the following procedure applies:

1. Determine if the missing person of any age has a proven physical or mental disability or; absence is not voluntary or; the person of any age is in the company of another person under circumstances indicating that his or her physical safety is in jeopardy or; other circumstance requiring police involvement.
2. A missing person report will be completed. The report will minimally include:
 - Name, address, age, gender, race, DOB, scars, marks, tattoos, etc.
 - Physical description.
 - Clothing description, if available.
 - Last known location.
 - Probable destination, if known.
 - Vehicle used, involved.
 - Circumstance that may have contributed to the absence.
 - Other information that could assist in locating the person.
3. The report shall be as accurate and complete as possible and include, if possible, a photograph. The investigating officer shall immediately inform all on-duty police officers of the existence of a missing person report and they shall cause a BOLO (Be On the Look Out) to be issued to every law enforcement agency in the county.
4. The officer shall request that the missing person (adult or juvenile) be entered into the FCIC/NCIC system within **two (2) hours** after a credible police report has been filed.

15.14.3 If there is any indication of foul play, suspicious circumstances or the missing person is considered at-risk the shift supervisor will be advised and give instructions on how the call will be handled.

15.14.4 The officer will conduct an immediate follow-up on any leads. If the leads exist outside of the city the officer will advise their supervisor and follow their instructions.

15.14.5 Subsequent contacts with the reporting persons will be made at the officers' discretion, dependent upon the circumstances surrounding the individual's absence, investigative leads, and other variables unique to the particular situation.

15.14.6 Upon verification by the officer at the scene that a missing person is a child, elderly person, mental patient or other person in need of prompt location, the officer will immediately advise a supervisor. The supervisor will:

1. Determine if additional officers should be dispatched to the scene to assist with a physical search.
2. Determine if other personnel, special equipment or other agencies are needed to assist in the search process.
3. Unless relieved by higher authority, be responsible for the search operation and the coordination of all personnel and agencies involved and will determine when to halt the operation.

15.14.7 If a person is located during the search or returns to his or her place of residence, transportation to a medical facility or the police department will be provided as is determined to be necessary and/or appropriate.

15.14.8 The missing person shall be removed from the FCIC/NCIC computer files.

15.14.9 Any action taken will be documented in a report.

F. DNA COLLECTION MISSING ENDANGERED PERSONS

15.14.10 If a missing child or missing adult is not located within 90 days after the missing child or missing adult report is filed a designated officer assigned to the investigative bureau shall attempt to obtain a biological specimen (*if none was collected at the time of the initial report*) for DNA analysis from the missing child or missing adult or from appropriate family members in addition to obtaining the necessary documentation. Collected samples shall be stored or transmitted to an appropriate laboratory in accordance with FDLE procedures.

G. MISSING ENDANGERED JUVENILE

15.14.11 The investigating officer shall conduct a thorough investigation into reports of missing juveniles to determine if the evidence and witness statements best supports treatment of the case as a runaway, custodial taking or predatory abduction.

15.14.12 The shift supervisor will be notified if there is any indication of either foul play or suspicious circumstances. The supervisor shall determine the need for additional resources including additional officers, investigators, outside law enforcement agencies (including K-9s and helicopter support) to conduct a field search, and activation of the Florida Amber Plan and other agencies.

15.14.13 A missing person report will be completed. The report shall be as accurate and complete as possible and include, if possible, a photograph and any information or leads the family can provide.

1. The investigating officer shall immediately inform all on-duty officers of the existence of the missing child report and shall cause the report to be issued as a BOLO (Be On the Look Out) to every law enforcement agency in the county.
2. Within two hours of the receipt of a missing juvenile report the investigating officer shall cause the missing juvenile to be entered into the NCIC/FCIC system.

15.14.14 The officer will conduct an immediate follow-up on any leads that are within his/her assigned area for runaways, family and predatory abductions. If the leads that exist are outside his/her assigned area, the officer will advise his/her supervisor for instructions.

1. All action taken and investigative information will be documented in a report.

15.14.15 The **Florida Amber Plan of the Florida Missing Child Alert (FMCA)** shall be immediately activated if the following criteria are met:

1. The child is under the age of 18 years;
2. The child is in danger of serious bodily harm or death (Note: not to be used for runaway or family abductions unless investigation determines the child's life is in immediate danger);
3. There is enough descriptive information to believe a broadcast will be of assistance.
4. The activation must be recommended by the local law enforcement agency of jurisdiction.

15.14.16 Activation:

1. Contact the FDLE Missing Endangered Persons Information Clearinghouse
2. The officer will advise the Clearinghouse that there is a child abduction and that the department wants to activate the Florida Amber Plan.

3. FDLE, in conjunction with the police department, will determine what information is to be broadcast and where that information will go.
4. FDLE will ensure that the information is broadcast through the Emergency Alert System.

15.14.17 The supervisor shall determine whether to activate “**A Child is Missing**”. This service is similar to the reverse 911 system. It places calls to homes and businesses within areas designated by law enforcement.

15.14.18 Other resources may provide trained search dogs, photograph distribution, volunteers for effectively coordinated search and supplementary tasks, predatory profiles, DNA analysis, background checks, leads hotline, reward money, victim counseling and other services that may be needed. These resources are:

1. National Center for Missing and Exploited Children;
2. Jimmy Ryce Center for Victims of Predatory Abductions;
3. FBI National Center for the Analysis of Violent Crime;
4. Missing Children Help Center;
5. Crime Stoppers;
6. Department of Corrections for bloodhounds;
7. All necessary phone numbers will be updated and maintained by the Communications Center.

H. REVIEW & FOLLOW-UP MISSING ENDANGERED PERSON(S)

15.14.19 The Investigative Division Supervisor or designate will coordinate, review and assign all missing endangered person cases as needed.

15.14.20 Resources that may be utilized in the investigation of missing endangered persons include, but are not limited to:

1. School Resource Officers (SRO);
2. Investigators/officers;
3. State Attorney's Office;
4. Department of Children and Families;
5. Other law enforcement agencies and social service organizations.

15.14.21 Minimally, active or inactive cases shall be reviewed monthly by the case agent to determine whether the case should be maintained in the FCIC/NCIC databases. The review shall be documented in the case file. Additionally the case review will help to:

1. Insure that procedures were followed in the handling of the case;

15.14.22 The follow-up investigations will include the following documented by supplemental report:

1. A review of the reports and NCIC/FCIC data. An update of any additional or omitted information will be completed. A cancellation will be completed if appropriate. A missing child or missing adult may not be removed from FCIC/NCIC databases based solely on the age of the missing child or adult.
2. Contact with the reporting party within 24 hours from receipt of the report. The investigator should briefly review the reports with the reporting party to see if any new information has developed. If the missing person has returned home, the parties should be asked if any assistance is needed.
3. If foul play is suspected, the investigator will complete information flyers on the missing person for posting within 24 hours. The information flyer will be made available to the press for circulation and distributed among area law enforcement agencies.
4. The investigator will complete information flyers on juvenile runaways and posting and distribution to law enforcement agencies within 10 days upon receipt of the written report.

5. If at the end of 21 days the case is still active, the investigator will assist the family or legal guardian in completing the dental history information packet which includes consent to contact the Dentist. The investigator will retain the dental history packet with the case file. If the missing person has never been treated by a Dentist and/or no dental records are available, the information shall be documented in the investigators supplemental report.
6. If at the end of 30 days the case is still active, the investigator will have the missing person's dental records (if available) entered into the NCIC/FCIC system in accordance with [FS 937.031](#).
7. If a missing child is not located within 90 days after the missing person report is filed a designated officer assigned to the investigative bureau shall attempt to obtain a biological specimen (*if none was collected at the time of the initial report*) for DNA analysis from the missing person or from appropriate family members in addition to obtaining the necessary documentation. Collected samples shall be stored or transmitted to an appropriate laboratory in accordance with FDLE procedures.
8. If at the end of an additional 45 days the case is still active, the investigator will review the case file with his/her immediate supervisor. If at that time there are no other leads to follow-up or action to take, the case file will be put on inactive status. The reviewing supervisor shall acknowledge review and reclassification of the case file by initials or signature. While on inactive status, the case will be reviewed every 30 days. The investigator will advise the parent or legal guardian of the case status.
9. Missing/ endangered person cases will remain "open" until such time as the person is located or determined to be deceased.
10. Missing/ endangered person cases may be referred to another law enforcement agency as determined by the investigative unit supervisor.
11. If needed the case agent may complete a Missing Endangered Persons Information Clearinghouse (MEPIC) report form for submission to that agency. The MEPIC offers an array of services to assist in locating missing persons. Such services include the monitoring of personal web-sites such as "FaceBook".

I. DNA SAMPLE & COLLECTION PROCEDURES

15.14.23 All DNA sample collection and submission procedures will be in accordance with the President's DNA Initiative, as described within this directive.

15.14.24 The Volusia Sheriff's Office is a designated FDLE Control Point Center. As such, the VSO maintains the approved Family Reference Sample DNA kits to expedite access and distribution to local and surrounding law enforcement agencies requiring quick access to the DNA kits. The point of contact for all such requests shall be the Inventory Control Section.

15.14.25 DNA can be collected for three different categories associated with Missing Persons' Cases:

1. **Direct Reference Samples (DRS)** – obtained directly from the missing person and consist of medically obtained blood cards, whole blood, or a tissue specimen that was collected from the missing person, or a toothbrush used only by the missing person.
2. **Family Reference Samples (FRS)** - obtained from family members of the missing person. Close relatives and/or maternal relatives' samples are the most useful and are collected using buccal/oral swabs and/or blood cards.
3. **Unidentified Human Remains Samples (UHR)** – obtained from unidentified human remains including bones (skeletal remains), tissue and teeth.

J. DIRECT PERSONAL REFERENCE SAMPLES (DRS)

15.14.26 UNTCHI is no longer accepting remains for identification.

1. All NSBPD returns must be coordinated with the UNTCHI evidence custodian:
 - Evidence Custodian Office Toll Free Number: 800-763-3147
 - Missing Persons E-Mail: MissingPersons@hsc.unt.edu

K. FAMILY REFERENCE SAMPLE (FRS)

15.14.27 A Family Reference Sample Collection Kit should also be collected whenever possible.

1. Each kit is designed to be used for the collection of a reference sample from one family member.
2. A separate kit should be used for each additional family member.
3. Each kit contains all necessary forms and supplies for collection and submission:
 - Brochure: [*Identifying Victims Using DNA: A Guide for Families*](#) (To remain with family/donor)
 - Instructions Sheet
 - 4-Part Sample Collection Form
 - One Pair Disposable Gloves
 - One Swab Collection Pouch
 - Four Sterile Collection Swabs
 - Four Swab Labels
 - One Prepaid Mailing Envelope
 - Fax Back Sample Tracking Form

15.14.28 Prior to the collection of a sample from a maternal and/or closely related biological relative of a missing person, a voluntary [*Consent for Collection, Testing and CODIS Entry Form*](#) must be completed.

1. Oral swab samples will be used for both mitochondrial and nuclear DNA analysis and must be **mailed within 24 hours of collection** in the envelope provided.
2. All submissions should include the NCIC number.
3. Refer to the collection instructions provided in the kit; maintain a copy of this tracking form for confirmation of evidence submission and for case tracking.
4. The officer/investigator collecting the DNA sample shall be responsible for completing all necessary forms, faxing the FRS Tracking Form to 800-221-3515 to notify the lab of the sample shipment and shall keep a copy of the form for confirmation of evidence submission and case tracking.
5. The collected sample and Tracking form will be submitted to evidence for timely mailing.

L. UNIDENTIFIED JUVENILES/DECEASED AND UNIDENTIFIED HUMAN REMAINS

15.14.29 Officers encountering juveniles, in situations other than arrest, who cannot be immediately identified will:

1. Check the child's physical identifiers with missing person reports flyers and BOLO's.
2. With a supervisor's approval, activate the "Reverse 911" System alerting residents of the general description of the found child.
3. Request a broadcast, state and national if deemed appropriate, that describes the child.
4. Contact additional agencies such as The National Center for Missing & Exploited Children (NCMEC) for assistance.

15.14.30 Once the child has been identified and a determination has been made that the reason that the child could not be immediately identified was resultant of a criminal act the officer shall conduct a proper criminal investigation.

Example: Temporary amnesia resultant of a battery.

15.14.31 Deceased Unidentified – usual investigative methods will be used to identify an unknown deceased child.

M. FLORIDA SILVER ALERT

15.14.32 The Silver Alert System has been developed to broadcast information of a missing elderly person who suffers from irreversible deterioration of intellectual faculties (dementia) in a timely manner, to the general public.

15.14.33 The Silver Alert System may be activated if all of the following criteria are met:

1. The investigating officer has entered the missing person in FCIC/NCIC (within 2 hours) if a determination has been made that the missing person is “endangered.”
2. The missing person is 60 years of age or older.
3. There must be a clear indication that the individual has a diagnosed cognitive impairment, such as Dementia or;
4. Under extraordinary circumstances when a person age 18 to 59 has irreversible deterioration of intellectual faculties and the Investigative Services Sergeant has determined the missing person lacks the capacity to consent, and the use of dynamic message signs may be the only possible way to rescue the missing person.
5. The missing person is believed to be in danger.
6. Silver Alert activation must be authorized by a supervisor

N. FLORIDA SILVER ALERT ACTIVATION PROCEDURES, SILVER ALERT CHECKLIST

15.14.34 The Silver Alert System should be activated as soon as possible after it is determined that all of the above criteria have been met and when an immediate search of the area has failed to locate the individual. It is further believed the activation of the alert through media and other local resources would aid in the safe recovery of the individual.

1. Contact should be made with A Child is Missing to activate a neighborhood call alert at **-1-888 875-2246**.
2. Additionally, the media is to be notified through the Public Information Office.
3. If a vehicle is involved the statewide messaging system may also be activated via FDOT’s highway dynamic message signs and other highway advisory methods.
4. Contact the FDLE Missing Endangered Persons Information Clearinghouse (MEPIC), toll-free at **1-888-356-4774**.
5. Advise the person answering that activation of the Silver Alert Plan is requested and provide the following information:
 - Vehicle description to include verified vehicle description and tag number.
 - Information that a statewide BOLO to other law enforcement/911 centers has been initiated.
 - Information that a local media alert has been initiated

15.14.35 Request assistance from the investigative bureau when appropriate.

O. FLORIDA PURPLE ALERT

15.14.36 The Purple Alert is used to locate missing persons with a mental or cognitive disability that is not Alzheimer’s disease or a Dementia related disorder. This is issued in a coordinated effort between a local law enforcement agency and state agencies.

15.14.37 Purple Alert System may be activated if all the following criteria are met:

1. The person is eighteen (18) or older and does not qualify for a state or local level Silver Alert.
2. The person has an intellectual or developmental disability, brain injury or another physical, mental or emotional disability that is not related to substance abuse and does not have Alzheimer's disease or a dementia related disorder.
3. The local law enforcement agency's investigation concluded the disappearance poses a credible threat of immediate danger or serious bodily harm to the missing person and they can only be returned to safety through law enforcement intervention.
4. There is a detailed description of the missing person suitable for distribution.
5. The missing person information has been entered into Florida Crime Information Center (FCIC).
6. The law enforcement agency of jurisdiction recommends activation.
7. Purple Alert activation must be authorized by a supervisor

P. FLORIDA PURPLE ALERT ACTIVATION PROCEDURES, PURPLE ALERT CHECKLIST

15.14.38 The Purple Alert System should be activated as soon as possible after it is determined that all of the above criteria have been met and when an immediate search of the area has failed to locate the individual. It is further believed the activation of the alert through media and other local resources would aid in the safe recovery of the individual.

1. Contact should be made with A Child is Missing to activate a neighborhood call alert at **-1-888 875-2246**.
2. Additionally, the media is to be notified through the Public Information Office.
3. A vehicle is not required to activate a Purple Alert. If a vehicle is involved, the statewide messaging system may be activated via FDOT's highway dynamic message signs and other highway advisory methods.
4. Contact the FDLE Missing Endangered Persons Information Clearinghouse (MEPIC), toll-free at **1-888-356-4774**.
5. Advise the person answering that activation of the Florida Purple Alert Plan is requested and provide the following information:
 - Vehicle description if available, to include verified vehicle description and tag number.
 - Information that a statewide BOLO to other law enforcement/911 centers has been initiated.
 - Information that a local media alert has been initiated.

15.14.39 Request assistance from the investigative bureau when appropriate.

Revised: BSS 11/22

**Approved: Signature on File
Chief Mike Coffin**